

## MINUTES

### CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

DECEMBER 5, 2016

#### CLAYTON HIGH SCHOOL AUDITORIUM

*(not including Centene presentation-see transcription for this portion of meeting)*

The City Plan Commission/Architectural Review Board of the City of Clayton, Missouri, met on the above date at 5:30 p.m. Upon roll call, the following responded:

Present:

Chairman Steve Lichtenfeld  
Joanne M. Boulton, Aldermanic Representative  
Craig Owens, City Manager  
Ron Reim  
Josh Corson  
William Liebermann  
Scott Wilson

Absent:

None

Also in Attendance:

Kevin O'Keefe, City Attorney  
Susan M. Istenes, AICP, Planning Director

Chairman Steve Lichtenfeld welcomed everyone to the meeting. He then asked that all cell phones be turned off and that conversations take place outside the meeting room. He announced that the 45 Arundel Place project (front yard fence) has been postponed until the next meeting and asked that those individuals wishing to publically speak in regards to the Centene project sign the sign-in sheet located on the edge of the stage (this meeting was being held in the high school auditorium).

## MINUTES

The minutes of the November 21, 2016 meeting was presented for approval. The minutes were approved after having been previously forwarded to each member.

### ARCHITECTURAL REVIEW – EXTERIOR ALTERATIONS – 8025 BONHOMME (CLAYTON ON THE PARK)

Jeff Davis, project architect with HOK, was in attendance at the meeting.

Director Istenes explained that the proposed project consists of removal of the existing drop-off area pavement in front of the building and replacing it with new colored concrete. A new pedestrian walkway and seating area, also in colored concrete, will be installed from under the front arcade to the drop-off area. The new sidewalk will extend west of the new drop-off area to new steps and paving near the Brentwood Boulevard public sidewalk. The applicant is also proposing to remove the existing landscaping within the drop-off area and in the landscape bed west of the drop-off area and replace it with new landscaping, including some trees. The proposal also includes installing new up-lighting and bollard lighting for the drop-off area. The applicant is requesting the public sidewalk in front of the building be sandblasted and that three parking spaces on Bonhomme Avenue be designated as 30 minute tenant parking. The Department of Public Works will take these requests into consideration, but they are not part of consideration for this application. Director Istenes noted that the proposed new landscape is simple, but will create a new, fresh look. The proposed plantings are likely to be impacted by high salt use on the drives because they are not in raised beds. There are 3 street trees being removed from the right-of-way and 11 trees being removed from the site with a total of 87.5 caliper inches for site trees. Director Istenes stated that staff recommends approval of the project subject to the following conditions:

1. All work in the right-of way shall be brought up to City of Clayton streetscape standards, including the following requirements:
  - A. The public sidewalk adjacent to the work shall be removed and replace with the City standard sidewalk's
  - B. The street trees identified to be removed shall be replaced with City approved trees against the curb line. These three street trees are shown not to be replaced in the right-of-way due to the new design; street tree replacement is one for one.
  - C. New irrigation lines have to be run to the relocated street trees.
  - D. The deficiency in caliper inches of trees will have to be made up on site by planting additional caliper inches or compensation to the City of Clayton tree fund.
2. The project will require a re-review by the City's Contracted Landscape Architect for compliance with the following items:
  - A. Address the outstanding items pursuant to the Existing Tree schedule analysis (staff will provide to applicant).
  - B. The PDFs for drawings L102 and L103 are blank. Please reprint the PDF.

C. Provide a completed digital tree chart in Excel format and put the whole chart on the drawings. The chart will calculate the tree replacements required and/or compensation to the City of Clayton tree fund.

D. Provide the second sheet of the Existing Tree Plan to show where tree numbers 19 through 23 are located and numbered. Make sure all of the existing trees are shown on the tree chart. It looks like some are missing.

E. There are (13) 8'-10" height ornamental trees proposed for the site. Provide a caliper equivalent so that they can count toward caliper replacement.

Mr. Davis stated that these renovations are a precursor to other building renovations. He began a PowerPoint presentation with the first slide depicting a site plan that included the proposed replacement trees; he noted that the three honey locust trees are to remain. He stated that they also propose to sandblast and refinish the pavement and light the canopy with LED bulbs. A slide depicting the proposed plant materials was shown and Mr. Davis noted that the plan complies with the City's approved tree list.

Josh Corson asked where the subject parking spaces on Bonhomme are specifically located.

Mr. Davis indicated that the subject spaces are actually on Brentwood Boulevard.

Scott Wilson asked what will replace the 87 ½ caliper inches of trees being removed.

Mr. Davis stated that he did not know off-hand.

Chairman Lichtenfeld asked about the re-painting of the canopies.

Mr. Davis stated that there are 4 small canopies and 1 larger canopy that will be repainted to match the building; a warm, darker gray color.

Scott Wilson asked what sidewalk the staff report is referring to with regards to City streetscape.

Susan Istenes replied "the Bonhomme sidewalk".

Chairman Lichtenfeld questioned if there are more trees in the right-of-way than are indicated on the drawing.

Susan Istenes stated that she would have to confer with Public Works.

Chairman Lichtenfeld asked if there were any further questions or comments.

Michael Sorkin, Clayton resident, commented that the public sidewalks are slippery when they are wet and asked if sandblasting will help alleviate that.

Mr. Davis replied “yes”.

Mr. Sorkin added that the sidewalk is dangerous and he would like something done about that.

Hearing no further questions or comments, Scott Wilson made a motion to approve per staff recommendations. The motion was seconded by Josh Corson and unanimously approved by the Board.

Chairman Lichtenfeld re-announced that 45 Arundel is being postponed and won't be considered this evening.

#### ARCHITECTURAL REVIEW – CANOPY - 8100 MARYLAND AVENUE (HERBIE'S)

Rick Gangloff, contractor, was in attendance at the meeting. Also in attendance was Aaron Teitelbaum, owner of Herbie's.

Susan Istenes explained that the applicant proposes to construct a +/- 304 square foot vinyl canopy (19 feet 2 inches wide x 16 feet long) attached to and extending 16 feet from the east facing building front towards the sidewalk. The purpose of the canopy appears to be to provide shade to an outdoor dining area in front of the existing restaurant along Brentwood Boulevard. The canopy will cover an aluminum frame which will be supported by five steel legs bolted to the concrete patio. The canopy structure will be 10 feet 7 inches tall at its highest point and will taper down towards the sidewalk where it will be 7 feet tall at the front. For comparison, umbrellas used in outdoor dining areas typically range between 8 and 10 feet tall. Director Istenes noted that this site is unique because the outdoor dining area is located on private property. Five existing street trees, located at the back of the sidewalk, were recently removed by the City and are scheduled to be replaced. The City's Forestry division has indicated that the trees will be replaced with Lacebark Elm, similar to those across the street on Brentwood Boulevard. The proposed length of the canopy appears to interfere with the remaining tree wells and replacement trees; however, the dimensions between the tree wells and the front edge of the canopy and the front edge of the canopy and the sidewalk, were not provided by the applicant. At maturity, the replacement trees should reach a spread of approximately 30 feet. Therefore, the canopy structure will have to be of a size and location that does not interfere with the replacement trees. The color of the canopy is not specified in the application. The proposed canopy material is of high quality and consistent with the design of the existing canopies along the front of the restaurant and therefore, staff recommends approval with the following conditions:

1. The length of the canopy shall be resized appropriately to accommodate the replacement trees and therefore shall be located no closer than fifteen (15) feet from the center of the existing tree wells.

2. The color of the proposed canopy shall match that of the existing canopies.

Mr. Teitelbaum asked that he be approved for the canopy as drawn/proposed. He stated that there's only one place to mount it and if the projection is reduced, there would be nowhere to mount it.

Joanne Boulton asked about the tree lawn issue.

Mr. Teitelbaum stated that he was under the impression that the tree wells would be removed/relocated by the City and that if he has to account for new trees, he won't be able to install the canopy.

Josh Corson asked if this was a Public Works issue.

Susan Istenes replied "yes". she added that she was told by Public Works that the trees would be replaced and that when she [staff] originally saw the proposal for the canopy, it was not of this shape or size.

Joanne Boulton commented that this Board cannot override a Public Works issue.

Susan Istenes concurred.

William Lieberman asked Director Istenes if she was told the tree wells would be moved.

Susan Istenes replied "no"; adding that she previously met with Mr. Teitelbaum and that she made him aware of the street tree/tree well issue.

Craig Owens asked the City's Civil Engineer, Spencer Litteken, if the tree wells are scheduled to be removed.

Spencer Litteken stated that they are not scheduled to be removed; however, it has been discussed.

Scott Wilson recommended tabling this item.

Chairman Lichtenfeld agreed.

Craig Owens asked the applicant if the base of the awning has to be affixed or if there is another option.

Mr. Gangloff stated that the posts would have to be placed on top of the concrete wall which runs parallel to the building, per an engineering requirement.

Scott Wilson made a motion to table this item.

Craig Owens stated that he would vote to approve per staff recommendation and then it would not have to come back to this Board.

Joanne Boulton stated that she would prefer it come back and seconded the motion to table. The motion was unanimously approved.

The applicants were informed that Public Works staff would be in contact with them.

ARCHITECTURAL REVIEW – FIRE FEATURE/WALL – 8100 MARYLAND AVENUE (HERBIE’S)

Matthew Jennings, contractor, was in attendance at the meeting, along with Aaron Teitelbaum, restaurant owner.

Susan Istenes explained that the applicant proposes to install a free-standing metal fire wall feature that will be fueled by propane gas to be located perpendicular to the front of the building, along Maryland Avenue, on a private patio. The fire box is proposed to be approximately 13 feet long, 3 feet, 6 inches tall and 8 inches wide and will be constructed of stainless steel. The applicant proposes to incorporate the name of the restaurant (Herbies) into a decorative aluminum panel, brown in color, to be located on both sides of the firebox. The aluminum panel is approximately 7 feet long by 3 feet, 4 inches wide (approximately 23.8 square feet). Per the City’s sign regulations, the proposed lettering constitutes signage, however the dimensions of the lettering were not provided by the applicant. Pursuant to Section 425.060, the Plan Commission has the authority to approve alternate ground signs when a building has fewer signs or signs with less area than is permitted by Chapter 425. In this case the applicant has an existing wall sign (16 square feet in area), therefore the Plan Commission may approve up to an additional 9 square feet of signage (per side) for a total of 25 square feet. Director Istenes noted that the this site is unique because the outdoor dining area where the fire wall will be placed is located on private property, is above grade in some places and is separated from the sidewalk by an existing planter wall fronting Maryland Avenue. The proposed fire wall will be located 8 feet, 2 inches from the back of the planter wall and 8 feet, 2 inches from the building front, behind the existing Trova art piece which is on a substantial granite base, so the visibility of the fire wall from the street will be minimized by these conditions. Director Istenes stated that the design and materials of the fire wall are high quality and consistent with the design of the restaurant, the building and outdoor dining area and staff recommends approval of the fire wall and signage with the following conditions:

1. The lettering of the signage shall not exceed 9 square feet per side, and
2. Subject to review and approval by the City’s Fire Marshal.

Mr. Jennings stated that the “Herbie’s” lettering is 3.5 square feet in size.

Mr. Teitelbaum stated that it runs perpendicular with the building and is made of high grade aluminum.

Chairman Lichtenfeld stated that the fire feature and Trova art will complement each other.

Joanne Boulton asked if there will be flames.

Mr. Teitelbaum replied “yes”, adding that the flames will be low.

Joanne Boulton asked if the feature will provide/supply heat.

Mr. Teitelbaum replied “no”, adding that they are applying for outdoor heaters.

Chairman Lichtenfeld asked if the fire wall is enclosed.

Mr. Teitelbaum replied “yes” and added that it is also sealed. He indicated that it will be assembled on-site.

Chairman Lichtenfeld commented that it is a good looking, creative piece.

Hearing no further questions or comments, Ron Reim made a motion to approve per staff recommendations. The motion was seconded by Josh Corson and unanimously approved by the members.

6:10 p.m. - Chairman Lichtenfeld announced that the meeting will continue with the Centene project and noted that the intention is not to vote this evening, but to bring it back on the 19<sup>th</sup>.

Josh Corson recused himself.

The Court Reporter, Sara Tom, began the transcription. Centene’s presentation continued until 8:20 p.m.

#### CITY BUSINESS – SUNSHINE LAW DISCUSSION

As City Attorney O’Keefe had already left the meeting, the information he prepared and printed for the members was distributed. The members were asked to review the information at their convenience.

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Director Istenes informed the members that she was still working on the staff reports for the Centene project and that they would be distributed soon.

Because there were only approximately 50-60 audience members in attendance this evening, it was decided that the next meeting (on the 19<sup>th</sup>) would be held at City Hall.

Scott Wilson asked if Herbie's chef statue needs this Board's approval.

Director Istenes replied "yes".

Joanne Boulton referenced the Public Art Advisory Committee's review of the public art for the Vanguard project.

Having no further business before this Commission this evening, the meeting adjourned at 8:35 p.m.

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Recording Secretary